



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| In re Application of: GRIMBERGEN  | Group Art Unit: 1763                               |
| Serial No: 09/379,753   | Examiner: Rudy Zervigon                            |
| Filed: August 24, 1999  | Attorney Docket No:<br>003948 USA/ETCH/SILICON/JB1 |
| For: MONITORING A PROCESS AND<br>COMPENSATING FOR<br>RADIATION SOURCE<br>FLUCTUATIONS | August 8, 2001<br>San Francisco, California        |

PETITION UNDER 37 C.F.R. § 1.181(a)

Box Non-Fee Amendment  
Commissioner for Patents  
Washington, D.C. 20231

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Examiner Zervigon:

This petition is in response to the Notice of Abandonment mailed on June 9, 2001.

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Box Non-Fee Amendment  
Commissioner for Patents  
Washington, D.C 20231

By Rowena Montoya Dated August 8, 2001  
Rowena Montoya

Applicant hereby petitions the Commissioner under 37 C.F.R. § 1.181(a) to withdraw Examiner's holding of abandonment due to the following facts.

According to the Notice of Abandonment dated June 9, 2001, the application was abandoned in view of the applicants' failure to timely file a proper reply to the Office letter mailed on October 10, 2000. Specifically, the Notice of Abandonment notes that "No reply has been received."

Applicant replied to the Final Office action of October 20, 2000 with an amendment, a request for a three month extension of time, and a fee payment mailed on April 17, 2001. Applicant's reply also included two certificates of mailing (in accordance with 37 C.F.R. 1.8) which certify that the correspondence was sent on April 17, 2001.

Enclosed with this petition is a copy of Applicant's submission of April 17, 2001, as well as a copy of the return receipt postcard which was stamped by the Receiving office on April 23, 2001.

It is believed that no petition fee is required for the filing of this petition. If a fee is required, please charge it and any other costs associated with this communication to deposit account no. 10-0258.

## Conclusion

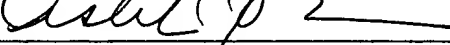
In view of the above, the Applicant requests that abandonment be withdrawn.

The Examiner is also respectfully requested to enter the previously submitted amendment, reconsider the present rejections and allow the pending claims. Should the Examiner have any questions, the Examiner is requested to call the undersigned representative of the Applicant.

Respectfully submitted,

JANAH & ASSOCIATES  
A PROFESSIONAL CORPORATION

Dated: 8/8/01

By:   
Ashok K. Janah  
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